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COMMISSION ON HUMAN RIGHTS

Fifty-fourth session

SUMMARY RECORD OF THE 32nd MEETING

Held at the Palais des Nations, Geneva,
on Monday, 6 April 1998, at 10 a.m.

Chairman: Mr. SELEBI (South Africa)

later: Mr. CHOWDHURY (Bangladesh)
(Vice-Chairman)

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(b) NATIONAL INSTITUTIONS FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS;

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The meeting was called to order at 10 a.m.

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION:

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(agenda item 9) (E/CN.4/1998/45-48, 49 and Add.1, 50, 51, 52 and Add.1, 53 and Add.1 and 2, 54 and Add.1, 116, 118, 138, 151 and 157; E/CN.4/1998/NGO/3, 24 and 69-71; E/CN.4/Sub.2/1997/28; A/52/469 and Add.1)

1. Mr. DAYAL (India), speaking as a member of the National Human Rights Commission of India, said that the increase in the number of national institutions had been accompanied by a growing, though sometimes grudging, acceptance by Governments that, to be credible, they must be based on the Paris Principles. The greatest strength of national institutions was that they could be forthright and effective without fear of being considered intrusive, patronizing or unpatriotic. Although they stood fearlessly for civil and political rights, the complaints they received and the realities of the circumstances in which they functioned compelled them to pay equal attention to economic, social and cultural rights. By their concern to realize rights through practical measures, national institutions retrieved those rights from the often sterile denunciatory and politically motivated debates that had hindered their furtherance.

2. Encouragement and support for national institutions should be given the highest priority by the High Commissioner for Human Rights. The Commission should, at its current session, take decisions to resolve the question of the manner in which national institutions might be able to participate, in their own right, in its meetings and in those of its subsidiary bodies.

3. The National Human Rights Commission of India was registering more and more complaints as faith in it increased. On its recommendations, important steps were being taken to promote and protect human rights in India, not least in the areas of insurgency and terrorism and that of custodial violence. It was seeking systemic reform of the police, the prisons and other custodial institutions and was gratified that, on its recommendation, the Government of India had reviewed its earlier position and become a signatory to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

4. It had participated in a Supreme Court hearing which had led to a far-reaching judgement establishing guidelines for the manner in which the Armed Forces (Special Powers) Act, 1958, should be read and it had successfully opposed renewal of the Terrorist and Disruptive Activities Act. In recent months, it had paid increasing attention to the promotion and realization of economic and social rights, particularly those of women and children.

5. A growing interaction had developed between the National Human Rights Commission and the Supreme Court of India, which had expressly asked it to examine allegations of human rights violations in the State of Punjab, allegations of deaths by starvation in the State of Orissa, and the issues of bonded and child labour. Increasing numbers of non-governmental organizations (NGOs) had brought complaints to it for investigation.

6. Its emphasis on human rights training and education had been well heeded, not least by India's security forces. It continued to be deeply disturbed, however, by the brutal assault on human rights in India by highly armed and organized terrorist groups, and welcomed the increasingly clear position being taken by the United Nations on the question of human rights and terrorism.

7. Mr. KJAERUM (Denmark), speaking as Director of the Danish Centre for Human Rights, said that the strengthening of national institutions for promoting and protecting human rights was partly attributable to the establishment and development of more elaborate regional networks whose role was crucial in establishing channels for information and creating ties which helped institutions to maintain or develop their independence.

8. Defending international human rights standards was a difficult task in States with weak civil societies and without a tradition of freedom of the press. Joint training programmes undertaken at regional level could be advantageous to all concerned. Despite the positive developments at the regional level, however, it was vital that the Secretary-General should provide the necessary assistance for regional meetings of national institutions, as requested in Commission resolution 1997/40. The technical assistance programme of the High Commissioner for Human Rights should be developed further in order to meet national institutions' training needs.

9. The Danish Centre for Human Rights had been established 10 years previously with research, information, documentation, educational, monitoring and advisory functions. It had improved the situation of some of the most vulnerable social groups such as the elderly, the mentally ill and children. In all three of those areas, it had initiated discussions by publishing reports which examined the extent to which Denmark's legislation and practice were in conformity with its international obligations. The key issues raised were deprivation of liberty in the case of the senile elderly; the right to privacy, legal safeguards and prison detention in the case of the mentally ill while, with respect to children, the right to two parents stipulated in the Convention on the Rights of the Child was not seen to be fully respected in Danish legislation. In all three areas, legislation was being changed and practices revised in order to implement international standards. There seemed

to be greater difficulties, unfortunately, in fully adjusting Danish legislation and practice regarding refugees and migrants to international human rights standards.

10. One of the Centre's most important tasks was the writing of alternative or shadow reports to United Nations treaty bodies, whose observations in turn provided a good basis for the continuing dialogue between the Centre, the relevant authorities and the Government. That was the case in many other countries also and it would be useful if that conception of the role of national institutions could be reflected in the Commission's resolution.

11. Mrs. JEFFERIES (Observer for New Zealand), speaking as Chief Commissioner of the Human Rights Commission of New Zealand, said that a year of celebrations to commemorate the adoption of the Universal Declaration of Human Rights had been launched by her country's Minister of Foreign Affairs on 10 December 1997. Interest in developing human rights institutions in the States of the Asia/Pacific region had intensified during the past year. All the national institutions in the region had been not only involved in Forum activities such as regional meetings and training workshops, but were also dealing with inquiries and requests for assistance throughout the region. The New Zealand Commission, in particular, had been endeavouring to meet the many international requests for assistance while dealing with a wide-ranging domestic jurisdiction.

12. In that connection, she expressed her appreciation of and support for the work of the High Commissioner's Special Adviser for National Institutions. Pointing out that countries still faced many challenges in the field of human rights, with particular reference to the rights of the child, those of indigenous people, the social effects of economic restructuring, and human rights problems arising from the revolution in information technology, she urged the members of the Commission to support the draft resolution on national institutions.

13. Mrs. FALARDEAU-RAMSEY (Canada), speaking as Chief Commissioner of the Canadian Human Rights Commission, stressed the importance of the role played by national human rights institutions and urged States which had not yet done so to establish such institutions. She called upon all States to support the work of the High Commissioner and her Office, emphasizing that adequate finances had to be provided to enable the High Commissioner to carry on her important work of helping to create and strengthen national human rights institutions. In conclusion, she reiterated the recommendation made at the previous session that the Commission should give national institutions a distinct status, independent of the delegations of their States, so as to enable them to deal in their own right with United Nations human rights bodies.

14. Mr. NFOR GWEI (Observer for Cameroon), speaking as Chairman of the National Commission on Human Rights and Freedoms of Cameroon, gave an account of the National Commission's activities over the past year. Although the planned establishment of branches in the provinces had been hindered by inadequate human and financial resources, the National Commission had made significant advances with regard to training in human rights and had dealt with more than 500 complaints relating to conditions of detention and

treatment of detainees and prisoners. It was also receiving an increased number of requests from displaced persons seeking refugee status.

15. Speaking in his capacity as Chairman of the Coordinating Committee of African Human Rights National Institutions, he said that he had attended a number of important regional meetings and had encouraged those African States that had not yet done so to create national institutions and those having such institutions to strengthen them and make them more functional. The human rights situation on the African continent was a cause of great concern to the Coordinating Committee, and he appealed to the international community for urgent action to help the African States improve their human rights records and ensure full enjoyment of those rights by their citizens.

16. Mr. DAHAK (Morocco), speaking on behalf of the Consultative Council for Human Rights in the Kingdom of Morocco, said that his organization, set up in accordance with the Paris Principles in April 1990, was an independent, objective and impartial body whose membership reflected the political, cultural and religious diversity of Moroccan society.

17. The Council advised His Majesty King Hassan II on all matters relating to the development of human rights and served as a mediator between the executive and civil society. One of its most important achievements concerned the harmonization of national legislation with human rights requirements in the fields of criminal law, labour law and the law governing the press. The Council had also been partly instrumental in obtaining the general amnesty granted by His Majesty in 1994. It carried out field studies in connection with all human rights cases brought to its attention, visited prisons and cooperated with other national human rights institutions at the regional and international level.

18. He was convinced that national institutions, including his own, had proved a useful supplementary mechanism in the field of human rights and an effective means of persuading Governments to do everything they could to serve the cause of human rights, thus putting into effect the wishes and aspirations of civil society, including the NGOs.

19. Mr. SIDOTI (Observer for Australia), speaking as Australian Human Rights Commissioner, said that national human rights institutions established in conformity with the Paris Principles were among the most important domestic mechanisms through which Governments could ensure that their obligations in the field of human rights were being met. Their capacity to act upon their own initiative, with a jurisdiction founded on international human rights law, meant that they were able to deal with breaches of economic, social and cultural rights.

20. As an example of the distinctive and important role national institutions could play, he referred to the stand taken by the Australian Human Rights and Equal Opportunity Commission against a recent High Court decision giving the national Parliament authority to enact special legislation that could disadvantage indigenous Australians. The importance of having an independent national human rights institution to call attention to such situations was obvious.

21. National institutions, which were established by parliaments and funded by Governments, had an equivocal relationship with their Governments and budget cuts were all too common an occurrence. The support of the international community and especially of similar commissions working in similar environments was therefore of great value. In that connection, he referred to the work of the Asia/Pacific Forum and to the recent Tehran workshop on regional human rights arrangements. His own Commission would continue to respond to requests for assistance, particularly through the Forum, and the Australian Government was to be commended for its financial assistance in that respect.

22. As far as international collaboration was concerned, he noted with satisfaction that his organization's relationship with the new Office of the High Commissioner for Human Rights had significantly improved since the previous session. The High Commissioner had frequently expressed her commitment to making the promotion of national institutions one of her main priorities. The fact that over 40 Governments had sought assistance from the High Commissioner's Special Adviser on National Institutions showed the value of the work being done. He welcomed the evaluation of that work initiated by the High Commissioner and hoped that it would result in an enhanced role for the Office, with appropriately enhanced resources.

The meeting was suspended at 11.25 a.m. and resumed at 11.40 a.m.

23. Mrs. COOMARASWAMY (Special Rapporteur on violence against women, its causes and consequences), introducing her report (E/CN.4/1998/54 and Add.1), said that, although there was still a long way to go, pride could be taken in the fact that since 1948 the international community had been less impervious to the needs of women throughout the world.

24. Her report focused on the issue of violence against women by the State and during times of armed conflict. A study of the violence against women at the time that India and Pakistan had been partitioned, as well as her own recent visit to Rwanda, confirmed that, throughout the centuries, women had been subjected to the most extreme forms of violence by men of the enemy community. Women were also subject to violence - including poisoning, drowning, strangulation or burning alive - from the men of their own community, to avoid "dishonour". Other women committed suicide in large numbers. Those who did not suffered "survivor's guilt".

25. Although war codes had long urged soldiers to refrain from sexual violence, rape had not been specifically termed a war crime or a crime against humanity even after the Second World War. That had fortunately begun to change. She commended the International Criminal Tribunals for Rwanda and for the Former Yugoslavia for including sexual violence as a war crime under "torture" and "wilful suffering" and for terming enslavement a crime against humanity. She hoped that a future permanent international criminal court would be equally enlightened.

26. Non-State actors who had taken up arms against the State had to be made to realize that they were subject to international standards with regard to the protection of the civilian population.

27. It was also necessary to consider the new issues of the growing number of female combatants in many State armies and of the treatment of women prisoners of war. The International Criminal Tribunal for Rwanda might, for the first time, find women guilty of war crimes. She held no brief for such women. Those who engaged in acts of inhumanity, whether men or women, must realize that impunity would end.

28. Custodial violence against women was perhaps the worst form of violence by the State, since it was a betrayal of trust against those in its power. Women were tortured in prisons throughout the world. State security forces had found numerous creative ways in which to torture women. If human rights meant anything, they should mean an end to such behaviour. At least some progress had been made: rape in custody was increasingly being recognized as a form of torture. States must respect the Standard Minimum Rules for the Treatment of Prisoners and take urgent steps to prevent custodial violence against women. Some had done so but they were exceptional. In most cases, the police and the security forces did not like to prosecute one of their own. States needed to recognize, however, that custodial violence against women delegitimized their moral authority to rule a modern nation State. State prosecution of errant members of its own security forces was the test of whether it fully respected human rights.

29. The other aspect of State violence was that against refugees and the internally displaced. Gender-based persecution was increasingly being recognized as grounds for refugee status under the Convention relating to the Status of Refugees. That trend should be expanded and become a bulwark of international humanitarian law.

30. Refugees and displaced women living in camps were subjected to much abuse. They lacked freedom of mobility and adequate food. There were very few doctors and virtually no gynaecologists or psychologists. The guidelines formulated by the United Nations High Commissioner for Refugees were often not translated into reality, especially in State-run camps.

31. She drew the Commission's attention to the report on her mission to Rwanda (E/CN.4/1998/54/Add.1). The international community must feel a collective shame at not having intervened in the events of 1994. Violence against women during the genocide had been horrific in extent and in dimension, but not a single case of sexual violence had so far resulted in a conviction. Only a few victims had come forward. Granting protection to victims with resettlement abroad might be one means of assisting the process.

32. The Government of Rwanda must, however, recognize that even perpetrators of genocide were entitled to protection of their human rights. The Government needed support in alleviating the appalling conditions of women detainees. In that context, it was a matter of deep concern that not one United Nations agency in Rwanda had programmes specifically related to violence against women. That showed great insensitivity.

33. Ms. MABUSELA (South Africa), speaking as Deputy Chairperson of the South African Human Rights Commission, said that much progress had been made since the first National Conference sponsored by the South African Human Rights Commission in 1997. That Conference had facilitated the development of a

participatory and inclusive national human rights plan for South Africa. The Commission had continued to investigate human rights violations resulting from racial discrimination and to challenge the remnants of discriminatory policies which were not in line with the constitutional democracy and the South African Bill of Rights and it was working closely with the Department of Justice to develop equality legislation.

34. The importance of ensuring access to social and economic rights could not be overstated, and in their wisdom, the drafters of the Constitution had included social and economic rights in its provisions. The Commission itself had the responsibility of reporting to Parliament annually on how government departments were ensuring access to those rights. The Commission had thus taken up the challenge of ensuring that the poorest of the poor were not forgotten and that organizations working among the poor and the poor themselves were given an opportunity to contribute to the debate on social and economic rights.

35. Because of its broad mandate, the Commission had established special sections within its structure dealing with the human rights of people with disabilities, child rights, equality, the rights of refugees, environmental rights and open democracy. Those specialized sections assisted in the handling of complaints, human rights education, research and information-sharing. An annual Human Rights Week had been established with the national Department of Education to promote human rights activities in the schools.

36. The Commission had been much appreciative of the visit by the High Commissioner for Human Rights to South Africa in December 1997, which had launched the South African International Year of Human Rights. South African had thus joined the community of nations in commemorating the fiftieth anniversary of the Universal Declaration.

37. Ms. NAVARRETE-RECINA (Philippines), speaking as Chairman of the Philippine Human Rights Commission, said that human rights education was one of her country's most important exports. The Philippine Constitution of 1987 had blazed a trail for human rights education by requiring all schools to educate the young citizens about their rights and the Government to teach human rights to the police and the military. The example had spread throughout the Asia-Pacific region. The proclamation of the International Decade for Human Rights Education had referred to such education as a unique strategy for the developing of a universal culture of human rights.

38. Among the important programmes of the Philippine Human Rights Commission was the nationwide mobilization programme for human rights protection and advocacy at the level of the barangay, the smallest political unit. That programme was especially helpful to persons in remote areas wishing to file complaints and also for providing education and information campaigns at the grass-roots level.

39. In response to the call in the Vienna Declaration for each Member State to draw up a national plan of action on human rights, the President had established an inter-agency task force to draw up the plan for the

Philippines. The plan, which recognized 16 sectors of particular vulnerability, had been adopted through a series of national public hearings involving all sectors of civil society and the Government.

40. Ms. ROCCATI (Mexico), speaking as Chairman of the National Human Rights Commission of Mexico, said that it was a technical and legal organization for the promotion and protection of human rights having the independence and neutrality needed to mediate between the Government and individuals. Throughout its eight years of existence, the Commission had received an average of 8,000 complaints per year, which it had investigated through the mechanisms available to it. Its major areas of activity dealt with such vulnerable groups as women, children, indigenous people and the disabled. It also had a programme of prison visits, where it focused in particular on prisoners from indigenous groups. It had established a programme for the protection of the human rights of journalists and other media workers.

41. The Commission was concerned not only with addressing alleged violations of rights, but also with developing a culture of respect for human rights. To that end, it had submitted a series of draft legal reforms to the legislature that would broaden its jurisdiction and competence.

42. It had established a special programme to meet the needs of the 11 million members of the country's indigenous groups. Because of the difficulty those people had in submitting complaints, it had established flying squads which made field visits to record complaints and collect evidence, mediate with authorities and attempt to resolve conflicts. The situation of the indigenous people was far from satisfactory and the Commission had made recommendations to the Government with regard to their right to development.

43. At the international level, the Commission had recommended that the authorities should withdraw some reservations to international instruments and should ratify other such instruments. It had also recommended recognition of the jurisdiction of the Inter-American Court of Human Rights. It had signed cooperation agreements with other national institutions in the Americas and Europe, which had resulted in the establishment of an information network which could be consulted through the Internet.

STATEMENT BY THE VICE-MINISTER FOR FOREIGN AFFAIRS OF GUATEMALA

44. Mr. AGUILERA PERALTA (Guatemala) said that the Commission had been examining the situation of human rights in his country for the last 18 years and it would be hard to find a United Nations activity with a more positive outcome. With its assistance, largely through its consideration of the reports of independent experts, the process of consolidating democracy and restoring the full enjoyment of human rights in Guatemala had been a successful one.

45. The presidential elections of 1995/96 and the signing of the Agreement on a Firm and Lasting Peace in December 1996 had put an end to the prolonged armed conflict. Guatemala had thus become a normal country, sharing the characteristics and problems of other developing countries. Neither the management of the State nor the activities of civil society were trouble-free,

but the Government was endeavouring to overcome the most serious problems. The Peace Agreements contained the national consensus on the structural reforms needed to pursue democratization and pacification.

46. A dark period of authoritarianism and internal armed conflict had thus come to an end in Guatemala. The sustained efforts of the Commission had been completely successful. On behalf of his Government and people, he expressed sincere gratitude for that noble effort to both the Commission and the many individuals who had assisted in the process.

47. A draft resolution would shortly be submitted to the Commission whereby it would conclude its consideration of the situation of human rights in Guatemala. His Government agreed with that proposal, which would undoubtedly receive the support of the Commission's members, because the conditions had been achieved, in the framework of national legislation and the Peace Agreements, for the respect, consolidation and development of human rights and the rule of law.

48. Having been the grateful recipient of Commission assistance, Guatemala would, as a member of the Commission, participate actively in its work to promote human rights throughout the world.

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS (agenda item 17) (E/CN.7/1998/92-97 and 158; A/52/489 and 499).

49. Mr. DIENG (Independent expert), introducing his report on the situation of human rights in Haiti (E/CN.4/1998/97), said that, since 8 June 1997, Parliament had twice refused to endorse President Préval's choice of prime minister. The lack of a prime minister for nine months had had a serious effect on the human rights situation. Once a new Government had been formed, the International Monetary Fund (IMF) would be able to release US$ 200 million. Meanwhile, the governmental crisis had impeded energetic action to improve the people's economic, social and cultural rights, although efforts had been made by the Ministries of Health and Education, as well as by NGOs.

50. Violence against women remained a major concern. Despite the Government's efforts, the courts did not take the issue seriously enough and there were grave inadequacies in police procedure and practice on sexual crimes and on protecting women victims of violent crime. Women's and human rights organizations had requested that the Special Rapporteur on violence against women, should pay a visit to the country during 1998. Training programmes were required throughout the entire educational system, to counteract the widely held view in Haiti that violence against women was normal.

51. There was growing public concern at the impunity of perpetrators of serious human rights violations. In that connection, the United States should return the documents taken from the headquarters of the armed forces and of the Front pour l'avancement et le progrès haïtien (FRAPH), which allegedly contained evidence on the perpetrators of the Raboteau massacre. Two anthropologists and a forensic scientist had arrived in Haiti to assist with

evidence on the Raboteau massacre, the perpetrators of which should be identified, tried and punished. Panama should extradite Generals Cédras and Biamby, warrants for whose arrest had been issued in Haiti.

52. Although some progress had been made over the past two years by the National Police, the large number of human rights violations by police officers gave rise to concern. The Inspector-General of Police - to whom all credit was due, given the obstacles placed in the way of his investigators - had logged 234 cases of human rights violations between November 1995 and December 1997.

53. While the human rights situation in Haiti had undoubtedly improved, action was required on all sides. The international community should strengthen its support, particularly for the development of the judicial system, in which connection he regretted the decision by the Office of the High Commissioner for Human Rights to transfer its technical cooperation activities to the International Civilian Mission in Haiti (MICIVIH). The latter had done some excellent work, but it had a different mandate and a time limit that would prevent it from following up a project on human rights training seminars.

54. Mr. ANTONIO (Observer for Haiti), said that the independent expert's objective and balanced report had paid tribute to his Government's efforts to lay the foundations for real democracy in Haiti, under difficult conditions. The main concern was the poor administration of justice. That made it all the harder to understand how friendly countries could refuse to return documents containing evidence about the perpetrators of terrible human rights violations or to extradite those accused of direct involvement in the massacre of Haitian citizens. He hoped that the draft resolution on the situation of human rights in Haiti would incorporate the expert's main recommendations.

55. Mr. HAMMARBERG (Special Representative of the Secretary-General for Human Rights in Cambodia), introducing his report (E/CN.4/1998/95), said that the phenomenon of impunity was among the most serious human rights problems in Cambodia. During her visit to Cambodia in January 1998, the High Commissioner for Human Rights had offered assistance and expertise in the area of investigations, which the authorities in Cambodia had welcomed. In the meantime, however, he had received reports of 50 additional cases of killing where the motivation was apparently political. Another serious aspect of impunity was the fact that the horrendous crimes of the Khmer Rouge had still not, been punished.

56. The justice in Cambodia was still not functioning well and the courts were not sufficiently protected against political pressure to ensure that the basic requirements for a fair trial could be met. Progress and the remaining problems in such areas as economic and social rights, labour rights, the rights of the child, women's rights and torture and conditions in prisons were also covered in his report.

57. International cooperation was still badly needed and the Office of the High Commissioner in Cambodia was of particular importance in that regard, but its staff members must receive better treatment and cooperation from the authorities. A week previously, a staff member had been severely beaten and

threatened with death by a group of policemen while on a normal monitoring mission in Phnom Penh. The Government and the Chief of Police must give public assurances that they were taking action to prevent any such behaviour in the future and that the policemen who had committed that abuse would be strictly disciplined.

58. Mr. Chowdhury (Bangladesh), Vice-Chairman, took the Chair.

ELECTION OF MEMBERS OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES (agenda item 24) (E/CN.4/1998/108 and Add.1 and 2; E/CN.4/1998/Misc.3)

59. The CHAIRMAN drew attention to the note by the Secretary-General (E/CN.4/1998/108 and Add.1 and 2) containing the nominations received and the curricula vitae of the candidates. The Commission was invited to elect, for a period of 4 years, 13 members of the Sub-Commission and, where applicable, their alternates, subdivided as follows: 3 members from African States, 3 from Asian States, 1 from Eastern European States, 3 from the Latin American and Caribbean States, and 3 from Western European and other States.

60. The ballot sheets to be distributed contained instructions and explanations prepared by the Secretariat (E/CN.4/1998/Misc.3). The members of the Commission were requested to place a cross against the names of the candidates for whom they wished to vote. A vote for a candidate included the alternate, where applicable. A number of votes greater than the number of vacancies for a group would invalidate the entire ballot. The ballot would remain valid, however, if the number of candidates marked was less than the number of allocated seats. In accordance with rule 67 of the rules of procedure of the functional commissions of the Economic and Social Council, those candidates obtaining, in the first ballot, a majority of the votes cast and the largest number of votes would be elected. If the number of candidates obtaining such majority was less than the number of places to be filled, additional ballots would be held to fill the remaining vacancies.

61. Since the Western European and other States had three candidates for three vacancies, he proposed that, in accordance with rule 66 of the rules of procedure and following past practice, the Commission should approve those nominations without a vote.

62. It was so decided.

WESTERN EUROPEAN AND OTHER STATES

63. Mr. Joinet with his alternate Mr. Decaux (France), Ms. Daes with her alternate Ms. Koufa (Greece) and Ms. Hampson (United Kingdom) were elected members of the Sub-Commission for a term of office of four years.

64. At the invitation of the Chairman, Mr. Khanal (Nepal) and Mr. Lehmann (Denmark) acted as tellers.

65. A vote was taken by secret ballot.

Number of ballot papers	:	52
Invalid ballots	:	1
Number of valid ballots	:	51
Abstentions	:	0
Required majority	:	26

The results were as follows:

AFRICAN STATES

Candidates	Member States	Number of votes obtained
Mr. Arsène K. Capo-Chichi	Benin	11
Ms. Lucy Gwanmesia	Cameroon	23
Ms. Jainaba Johm	Gambia	2
Mr. Yeung Kam Yeung Sik Yuen	Mauritius	32
Ms. Judith Sefi Attah	Nigeria	19
Mr. El-Hadji Guissé	Senegal	39
Mr. Joseph Oloka-Onyango	Uganda	25

66. Having obtained the required majority and the largest number of votes, Mr. Yuen (Mauritius) and Mr. Guissé (Senegal) were elected members of the Sub-Commission for a term of office of four years.

ASIAN STATES

Candidates	Member States	Number of votes obtained
Mr. Fan Guoxiang	China	41
Mr. Soli Jehangir Sorabjee	India	47
Mr. Osman El-Hajjé	Lebanon	8
Ms. Evelyn Dunuan	Philippines	11
Mr. Rajendra Kalidas Wimala Goonesekere	Sri Lanka	13

67. Having obtained the required majority and the largest number of votes, Mr. Fan Guoxiang with his alternate Mr. Zhong Shukong (China), Mr. Sorabjee (India) and Mr. Goonesekere with his alternate Ms. Udagama (Sri Lanka) were elected members of the Sub-Commission for a term of office of four years.

EASTERN EUROPEAN STATES

Candidates	Member States	Number of votes obtained
Mr. Hidajat Chudush oglu Orudjev	Azerbaijan	9
Mr. Teimuraz Ramishvili	Russian Federation	42

68. Having obtained the required majority and the largest number of votes, Mr. Ramishvili with his alternate Mr. Kartashkin (Russian Federation) was elected member of the Sub-Commission for a term of office of four years.

LATIN AMERICAN AND CARIBBEAN STATES

Candidates	Member States	Number of votes obtained
Ms. Mónica Pinto	Argentina	31
Mr. Paulo Sérgio Pinheiro	Brazil	44
Mr. José Bengoa	Chile	43
Mr. Héctor Fix-Zamudio	Mexico	33

69. Having obtained the required majority and the largest number of votes, Mr. Pinheiro with his alternate Ms. Gonçalves (Brazil), Mr. Bengoa with his alternate Mr. Salinas Rivera (Chile) and Mr. Fix-Zamudio with his alternate Mr. Gómez-Robledo Verduzco (Mexico) were elected members of the Sub-Commission for a term of office of four years.

70. A second vote was taken by secret ballot to elect the third member of the Sub-Commission from the African States.

Number of ballot papers	:	53
Invalid ballots	:	0
Number of valid ballots	:	53
Abstentions	:	0
Required majority	:	27

The results were as follows:

AFRICAN STATES

Candidates	Member States	Number of votes obtained
Mr. Arsène K. Capo-Chichi	Benin	1
Ms. Lucy Gwanmesia	Cameroon	17
Ms. Jainaba Johm	Gambia	0
Ms. Judith Sefi Attah	Nigeria	5
Mr. Joseph Oloka-Onyango	Uganda	30

71. Having obtained the required majority and the largest number of votes, Mr. Oloka-Onyango (Uganda) was elected a member of the Sub-Commission for a term of office of four years.

The meeting rose at 1.15 p.m.